



## CIVIL ACTION – LAW

No. 07-109-CD

FILED  
M 11:41 AM  
JAN 23 2007  
Atty. Mix  
Pd. 30.00  
Notice to  
Def.  
William A. Shaw  
Prothonotary/Clerk of Courts  
Statement  
to Atty.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**  
MDJ Name: Hon. **PATRICK N. FORD**  
Address: **309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA**  
Telephone: **(814) 371-5321** **15801**

**PATRICK N. FORD**  
**309 MAPLE AVENUE**  
**PO BOX 452**  
**DUBOIS, PA 15801**

**NOTICE OF JUDGMENT/TRANSCRIPT**  
**CIVIL CASE**

PLAINTIFF: **BASSETT FURNITURE INDUSTRIES, INC.**  
**PO BOX 179**  
**C/O LEE, GREEN & REITER**  
**BELLEFONTE, PA 16823**  
VS.  
DEFENDANT: **COZY ACRES FURNITURE, LLC**  
**CHEAPO DEPOT**  
**RD3 BOX129A OKLA SALEM RD**  
**DUBOIS, PA 15801**

Docket No.: **CV-0000338-06**  
Date Filed: **7/18/06**



**THIS IS TO NOTIFY YOU THAT:**

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **12/07/06**

☒ Judgment was entered for: (Name) **BASSETT FURNITURE INDUSTRIES,**

☒ Judgment was entered against: (Name) **COZY ACRES FURNITURE, LLC**  
in the amount of \$ **7,329.49**

☐ Defendants are jointly and severally liable.

☐ Damages will be assessed on Date & Time \_\_\_\_\_

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

☐ Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>7,205.99</b>
Judgment Costs	\$ <b>123.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ 7,329.49</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b>	<b>\$ _____</b>

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

**12-7-06** Date **Patrick N. Ford**, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.  
**1-10-07** Date **Patrick N. Ford**, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-06

DATE PRINTED: **12/07/06 9:46:00 AM**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BASSETT FURNITURE  
INDUSTRIES, INC.,

Plaintiff

vs.

COZY ACRES FURNITURE, LLC

d/b/a CHEAPO DEPOT,

Defendant

No.

07-109-CD



COPY

NOTICE OF ENTRY OF JUDGMENT

To: Cozy Acres Furniture, LLC  
d/b/a Cheapo Depot  
RR 3 Box 129A  
Oklahoma Salem Road  
Dubois, PA 15801

Pursuant to Rule 236, you are hereby notified that a judgment has been entered against you in the above captioned action.

Prothonotary

Dated: 11/23/2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

Bassett Furniture Industries, Inc.  
Plaintiff(s)

No.: 2007-00109-CD

Real Debt: \$7,329.49

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Cozy Acres Furniture, LLC  
d/b/a Cheapo Depot  
Defendant(s)

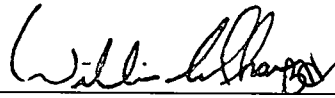
Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: January 23, 2007

Expires: January 23, 2012

Certified from the record this 23rd day of January, 2007.

  
\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW

BASSETT FURNITURE  
INDUSTRIES, INC.,  
Plaintiff

vs.

COZY ACRES FURNITURE, LLC  
d/b/a CHEAPO DEPOT,  
Defendant

No. 07-109-CD

**FILED** *Atty. pd. 20.00*  
*m 11:56 AM*  
**FEB 28 2007** *1 cc 6 writs to Sheriff*

William A. Shaw  
Prothonotary/Clerk of Courts

(6K)

**PRAECIPE FOR WRIT OF EXECUTION -**  
**(MONEY JUDGMENT)**  
**P.R.C.P. 3101 to 3149**

TO THE PROTHONOTARY:

Kindly issue a writ of execution in the above matter.

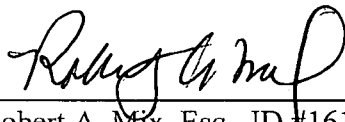
- (1) Directed to the Sheriff of Clearfield County, Pennsylvania;
- (2) against Cozy Acres Furniture, LLC d/b/a Cheapo Depot, Defendant;
- (3) and against CSB Bank, Garnishee;
- (4) and index this writ
  - (a) against Cozy Acres Furniture, LLC d/b/a Cheapo Depot, Defendant and
  - (b) against CSB Bank, Garnishee,

(5) Amount of Judgment	\$7,329.49	
Court Costs	<u>40.00</u>	<b>Prothonotary costs</b>
Total	\$7,369.49	plus Sheriff's costs

LEE, GREEN & REITER, INC.:

Date: February 23, 2007

By:

  
Robert A. Mix, Esq., ID #16164  
Attorney for Plaintiff

Where papers may be served:

115 E. High Street  
P.O. Box 179  
Bellefonte, PA 16823

Telephone:

(814) 355-4769

WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION - LAW

COPY

Bassett Furniture Industries, Inc.

Vs.

NO.: 2007-00109-CD

Cozy Acres Furniture, LLC, d/b/a Cheapo Depot

CSB Bank  
Garnishee

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due BASSETT FURNITURE INDUSTRIES, INC., Plaintiff(s) from COZY ACRES FURNITURE, LLC, d/b/a CHEAPO DEPOT, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
CSB Bank  
Garnishee(s) as follows:  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$7,329.49  
INTEREST: \$  
ATTY'S COMM: \$  
DATE: 02/28/2007

PROTHONOTARY'S COSTS PAID: \$40.00  
SHERIFF: \$  
OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

\_\_\_\_\_  
Sheriff

Requesting Party: Robert A. Mix, Esq.  
115 E. High Street  
PO Box 179  
Bellefonte, PA 16823  
(814) 355-4769

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102495

NO: 07-109-CD

SERVICE # 1 OF 2

WRIT OF EXECUTION; CLAIM FOR EXEMPTION

PLAINTIFF: BASSETT FURNITURE INDUSTRIES, INC.

VS.

DEFENDANT: COZY ACRES FURNITURE, LLC d/b/a CHEAPO DEPOT

TO: CSB BANK, Garnishee

SHERIFF RETURN

---

NOW, March 08, 2007 AT 11:30 AM SERVED THE WITHIN WRIT OF EXECUTION; CLAIM FOR EXEMPTION ON COZY ACRES FURNITURE LLC d/b/a CHEAPO DEPOT DEFENDANT AT OKLAHOMA SALEM RD., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CRYSTAL MCGHEE, OPERATIONS MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; CLAIM FOR EXEMPTION AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

FILED

0/3:15 Lm  
MAR 12 2007

William A. Shaw  
Prothonotary/Clerk of Courts

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA**

DOCKET # 102495  
NO: 07-109-CD  
SERVICE # 2 OF 2  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: BASSETT FURNITURE INDUSTRIES, INC.

vs.

DEFENDANT: COZY ACRES FURNITURE, LLC d/b/a CHEAPO DEPOT

TO: CSB BANK, Garnishee

**SHERIFF RETURN**

---

NOW, March 06, 2007 AT 2:20 PM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON CSB BANK, Garnishee DEFENDANT AT 5066 SHAFFER ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ERIN L.MORGAN, COMMUNITY OFFICE MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102495  
NO: 07-109-CD  
SERVICES 2  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: BASSETT FURNITURE INDUSTRIES, INC.

vs.

DEFENDANT: COZY ACRES FURNITURE, LLC d/b/a CHEAPO DEPOT

TO: CSB BANK, Garnishee

SHERIFF RETURN

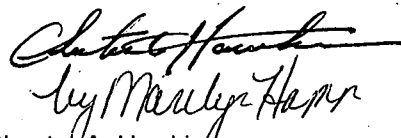
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	LEE	12266	20.00
SHERIFF HAWKINS	LEE	12266	67.25

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2007

So Answers,



Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION - LAW**

Bassett Furniture Industries, Inc.

Vs.

NO.: 2007-00109-CD

Cozy Acres Furniture, LLC, d/b/a Cheapo Depot

CSB Bank  
Garnishee

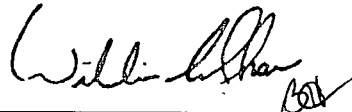
**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due BASSETT FURNITURE INDUSTRIES, INC., Plaintiff(s) from COZY ACRES FURNITURE, LLC, d/b/a CHEAPO DEPOT, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
CSB Bank  
Garnishee(s) as follows:  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

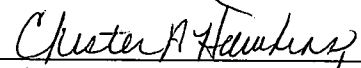

AMOUNT DUE/PRINCIPAL: \$7,329.49  
INTEREST: \$  
ATTY'S COMM: \$  
DATE: 02/28/2007

PROTHONOTARY'S COSTS PAID: \$40.00  
SHERIFF: \$  
OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 28 day  
of FEB A.D. 2007  
At 3:00 A.M./P.M.

  
Sheriff 

Requesting Party: Robert A. Mix, Esq.  
115 E. High Street  
PO Box 179  
Bellefonte, PA 16823  
(814) 355-4769

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW

BASSETT FURNITURE  
INDUSTRIES, INC.,  
Plaintiff

vs.

COZY ACRES FURNITURE, LLC  
d/b/a CHEAPO DEPOT,  
Defendant

)  
)  
)  
) No. 07-109-CD  
)  
)  
)  
)  
)  
)


**CERTIFICATION**

The undersigned hereby certifies that the attached Praecipe for Execution/Attachment does not arise out of a retail installment sale, contract or account based on a confession of judgment, but if it does, it is based on the appropriate legal proceeding filed pursuant to Act 7 of 1966 as amended.

LEE, GREEN & REITER, INC.:

Date: February 23, 2007

By:



Robert A. Mix, Esq., ID #16164  
Attorney for Plaintiff  
115 East High Street  
P.O. Box 179  
Bellefonte, PA 16823  
(814) 355-4769

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW

BASSETT FURNITURE  
INDUSTRIES, INC.,  
Plaintiff

vs.

COZY ACRES FURNITURE, LLC  
d/b/a CHEAPO DEPOT,  
Defendant

No. 07-109-CD

**AFFIDAVIT OF RESIDENCY**

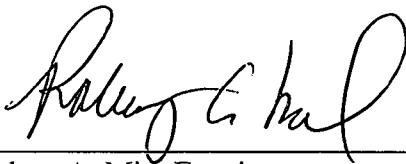
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CENTRE

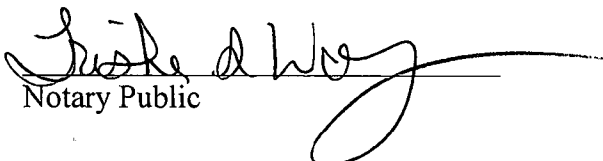
SS:

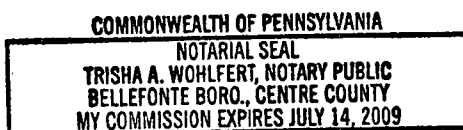
I, Robert A. Mix, Esquire, do hereby certify that the last known address for the Defendant in the above-captioned action is:

RR #3 Box 129A  
Oklahoma Salem Road  
DuBois, PA 15801

  
Robert A. Mix, Esquire

SWORN TO AND SUBSCRIBED  
before me this 23<sup>RD</sup> day of February, 2007.

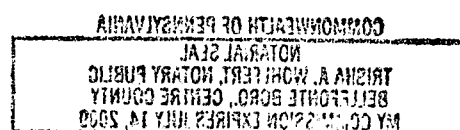
  
Notary Public



**FILED**

**MAR 12 2007**

William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BASSETT FURNITURE INDUSTRIES,  
INC., Plaintiff

-vs-

COZY ACRES FURNITURE, LLC, d/b/a  
CHEAPO DEPOT, Defendant

CSB BANK, Garnishee

:  
:No. 2007 – 109 - CD

:  
:Type of Case: Civil

:  
:Type of Pleading: ANSWERS OF  
: CSB BANK, GARNISHEE, TO  
: INTERROGATORIES TO  
: GARNISHEE AND NEW MATTER

:  
:Filed on behalf of: CSB BANK,  
: Garnishee

:  
:Counsel of Record for this Party:  
:Laurance B. Seaman, Esquire

:  
:Supreme Court No.: 19620

:  
:GATES & SEAMAN  
:Attorneys at law  
:Two North Front Street  
:P. O. Box 846  
:Clearfield, PA 16830  
:(814) 765-1766

FILED *NECC*  
*012110*  
MAR 15 2007 *GW*

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

BASSETT FURNITURE INDUSTRIES,  
INC., Plaintiff

-vs-

COZY ACRES FURNITURE, LLC  
d/b/a CHEAPO DEPOT, Defendant

CSB BANK, Garnishee

No. 2007 - 109 - CD

**ANSWERS OF CSB BANK, GARNISHEE, TO INTERROGATORIES  
TO GARNISHEE AND NEW MATTER**

CSB BANK, Garnishee, makes the following answer to Plaintiff's Interrogatories to Garnishee:

1. No.
2. Yes.
3. No.
4. No.
5. No.
6. No.
7. Yes.

(a) DDA Account No. 5002398 - \$412.40, subject to right of setoff and perfected security interest, as set forth in New Matter; and

(b) DDA Account No. 5003340 - \$43.85, subject to right of setoff and perfected security interest, as set forth in New Matter.

**NEW MATTER**

By way of New Matter, Garnishee, CSB BANK, avers:

8. Garnishee has a valid right of setoff against Defendant, Cozy Acres Furniture, LLC's account for attorney's fees incurred in responding to the Interrogatories to Garnishee, which Garnishee hereby asserts as a defense against Plaintiff, for the amount of \$345.00 (per the statement of services attached hereto and made a part hereof as Exhibit "A").

9. Garnishee, in connection with two (2) separate loans to Defendant under two (2) Commercial Security Agreements, dated January 17, 2007 and December 8, 2006, has a security interest in both accounts referred to in Answer to Interrogatory No. 7, which security interest has been perfected by the filing of UCC Financing Statements (Form UCC-1), and which Garnishee hereby asserts as a defense against Plaintiff.

GATES & SEAMAN

A handwritten signature in black ink, appearing to read 'LBS', is written over a horizontal line.

Laurance B. Seaman, Esquire  
Attorney for CSB Bank, Garnishee

Two North Front Street  
P. O. 846  
Clearfield, PA 16830  
(814) 765-1766

Date: March 14, 2007

LAURANCE B. SEAMAN  
ANDREW P. GATES

LAW OFFICES  
GATES & SEAMAN  
TWO NORTH FRONT STREET  
P. O. BOX 846  
CLEARFIELD, PA. 16830

JOHN B. GATES  
(1917-1984)

(814) 765-1766  
FAX (814) 765-1488

March 13, 2007

CSB Bank  
P. O. Box 29  
Curwensville, Pennsylvania 16833

Re: Cozy Acres Furniture LLC - Garnishment

---

**FOR PROFESSIONAL SERVICES RENDERED**

**Laurance B. Seaman, Esquire**

(3/12/2007)

Review Memo from Attorney Gates; review correspondence from CSB Bank, Writ of Execution, Interrogatories to Garnishees and Debtor's Account information; telephone conference with CSB Bank to verify no safe deposit box rented to Debtor and to verify ownership of accounts; preparation of Answers to Interrogatories, New Matter and Certificate of Service; instructions to Legal Assistant to arrange for execution of Verification; preparation of correspondence to Plaintiff's attorney with copies to Debtor of Answers and New Matter; filing Answer and New Matter and Certificate of Service

(1.50 hrs.) ----- \$262.50

**Andrew P. Gates, Esquire**

(3/8/07 and 3/9/07)

Review Writ of Execution and Interrogatories; review information, accounts and loans of Cozy Acres Furniture LLC at CSB; legal research re: Rules of Procedure; review Commercial Security Agreement and UCC; preparation of Memo to Attorney Seaman

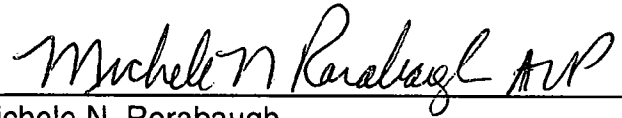
(1.00 hr. [only charged for 0.50 hr.]) ----- \$ 82.50

AMOUNT DUE \$345.00

EXHIBIT "A"

**VERIFICATION**

I, Michele N. Rorabaugh, Assistant Vice President of Operations, CSB Bank, verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I the undersigned understand that false statements made herein are subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities.



Michele N. Rorabaugh,  
Assistant Vice President of Operations  
CSB BANK

Date: 3/14/07

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

BASSETT FURNITURE INDUSTRIES,  
INC., Plaintiff

-vs-

COZY ACRES FURNITURE, LLC  
d/b/a CHEAPO DEPOT, Defendant

CSB BANK, Garnishee

No. 2007 - 109 - CD

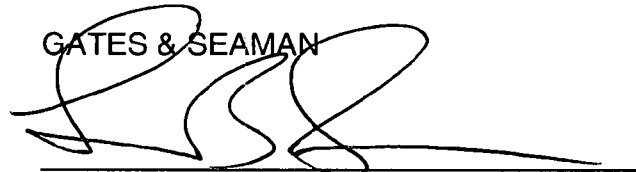
**CERTIFICATE OF SERVICE**

I hereby certify that on the 15 day of March, 2007, a true and correct copy of Answers of CSB Bank, Garnishee, to Interrogatories to Garnishee and New Matter was sent by regular U. S. mail to:

Robert A. Mix, Esquire  
LEE, GREEN & REITER, INC.  
115 East High Street  
P. O. Box 179  
Bellefonte, PA 16823

Cozy Acres Furniture, LLC  
d/b/a Cheapo Depot  
2906 Oklahoma Salem Road  
DuBois, PA 15801

GATES & SEAMAN



Laurance B. Seaman, Esquire  
Attorney for CSB Bank, Garnishee